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Viewing cable 06NAIROBI1090, JUSTICE MINISTER WON'T QUESTION POLICE RAID

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#06NAIROBI1090**.

Reference ID	Created	Released	Classification	Origin
06NAIROBI1090	2006-03-09 08:30	2011-08-30 01:44	CONFIDENTIAL	Embassy Nairobi

Appears in these articles:

<http://www.the-star.co.ke/>

VZCZCXYZ0034
OO RUEHWEB

DE RUEHNR #1090/01 0680830
ZNY CCCCC ZZH
O 090830Z MAR 06
FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0178
INFO RUEHDS/AMEMBASSY ADDIS ABABA PRIORITY 8286
RUEHDR/AMEMBASSY DAR ES SALAAM PRIORITY 4526
RUEHDJ/AMEMBASSY DJIBOUTI PRIORITY 4021
RUEHKM/AMEMBASSY KAMPALA PRIORITY 1194
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C O N F I D E N T I A L NAIROBI 001090

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E.O. 12958: DECL: 03/05/2026
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SUBJECT: JUSTICE MINISTER WON'T QUESTION POLICE RAID

Classified By: Ambassador William Bellamy for reasons 1.4 (b,d)

(This is a retransmission of Nairobi 1003 to correct formatting errors.)

¶1. (C) SUMMARY: Justice Minister Karua refuses to criticize the police raids on the Standard Media Group, even going so far as to assert that it might have been justified on "national security" grounds. Karua's main concern seems to be that she and other cabinet members were not consulted beforehand. END SUMMARY.

¶2. (C) In the wake of the March 2 police assault on the Standard Media Group, the Swedish Ambassador, Dutch charge and I met with Justice and Constitutional Affairs Minister Karua and her permanent secretary, Dorothy Angote, March 3. (Note: Within the World Bank-led donor coordinating group in Nairobi, Sweden, the Netherlands and the US co-chair the sectoral committee on justice and constitutional issues. End Note.)

¶3. (C) As a group we expressed dismay at the March 2 police action and asked what steps the GOK planned to take to distance itself from this lawlessness, discipline those responsible and restore public confidence in the GOK's commitment to freedom of the press.

¶4. (C) Karua's responses over the course of the hour-long meeting were not reassuring:

-- Although she was disturbed by the police raid, her chief lament was that it had not been coordinated in any way within government. Security Minister Michuki appeared to have acted on this own. Actions as serious as this, Karua said, ought to be the subject of cabinet consultations.

-- Karua blamed the international community for too quickly &making up its mind8 and issuing statements that condemned the government. Until she had more facts, she was not prepared even to admit that the police were responsible for the raid or, if they were, that they had acted outside the law.

-- Security Minister Michuki had mentioned that national security issues were involved. If so, perhaps the police had good reason to act as they did, even if their methods were a bit excessive.

-- As for reports that police had burned thousands of copies of the Standard, Karua denied that that had happened. She suspected the Standard's editors had burned the papers themselves &to discredit the police.8

-- When the Swedish Ambassador joked that the image the GOK had created for itself was so bad that one could almost believe political opponents had mounted the raid to discredit the government, Karua stunned us by replying that &she couldn't rule that out.8

-- She added that Kenya had a &rogue8 press and something had to be done to bring press practices into line with laws and regulations.

¶5. (C) I told Karua that March 2 had been a bad day for the rule of law in Kenya, for freedom of the press in Kenya, for the reputation of Kenya's security services who had acted like thugs, and for Kenya's international standing. I said it was a shame that the one mention Kenya might get this year in the editorial pages of the New York Times, Washington Post or Wall Street Journal would be an expression of disgust and censure.

¶6. (C) Comment: Of all GOK ministers Karua should be most concerned about the extrajudicial behavior of the police and the very negative signals it sends about the Kibaki government's commitment to the rule of law. Yet she was

ambivalent at best. (Note: Two days later, she is quoted in the Kenyan press as having concluded that the raid was lawful. End note.) Although she still lacked some information about the raid, her instinct was to search for ways to justify it and shift the onus of responsibility on to the press.

17. (C) No responsible GOK voice has spoken out to acknowledge that there was anything wrong with the March 2 attack on the Standard or to reassure the public that steps are being taken to prevent it from happening again. Indeed, this may be only an opening move in a campaign to intimidate critics and opponents of an increasingly shaky and directionless Kibaki administration. Kibaki himself has had absolutely nothing to say about the worst credibility crisis of his Presidency or the alleged serious &national security8 threats his security minister claims to have thwarted. End Comment.
BELLAMY